



JACKIE LACEY
LOS ANGELES COUNTY DISTRICT ATTORNEY

18000 CLARA SHORTRIDGE FOLTZ CRIMINAL JUSTICE CENTER
210 WEST TEMPLE STREET LOS ANGELES, CA 90012-3210 (213) 974-3501

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

August 18, 2015

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

31

August 18, 2015


PATRICK OGAWA
ACTING EXECUTIVE OFFICER

Dear Supervisors:

**FEDERAL EQUITABLE SHARING AGREEMENT AND ANNUAL CERTIFICATION REPORT FOR
FISCAL
YEAR 2014-2015 (ALL DISTRICTS) (3 VOTES)**

SUBJECT

Federal Equitable Sharing Agreement and Annual Certification Report for Fiscal Year 2014-2015, a prerequisite to receive equitably-shared cash, property, or proceeds.

IT IS RECOMMENDED THAT THE BOARD:

Authorize the Chairman to sign the enclosed Agreement which enables the District Attorney's Office to continue participation in the Federal Equitable Sharing Program and report the use of federal equitable sharing funds received in Fiscal Year 2014-2015.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

In order for the Los Angeles District Attorney's Office (LADA) to receive federally forfeited cash, property, proceeds, and any interest thereon from the Federal Equitable Sharing Program, the DA is required to submit an Annual Federal Equitable Sharing Agreement and Certification form.

Implementation of Strategic Plan Goals

Participation in the Federal Equitable Sharing Program is consistent with the County's Strategic

Plan Goal No. 3, Integrated Services Delivery, to maximize opportunities to measurably improve client and community outcomes and leverage resources through the continuous integration of health, community, and public safety services.

FISCAL IMPACT/FINANCING

Federal Equitable Sharing funds support law enforcement training, travel, communication and other eligible law enforcement costs. In Fiscal Year 2014-2015, the Department utilized \$853,179.78 in Federal Equitable Sharing funds.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Federal Equitable Sharing funds received from the Federal Equitable Sharing Program are deposited into a District Attorney Trust Fund and are used for eligible law enforcement operation costs.

IMPACT ON CURRENT SERVICES (OR PROJECTS)


This program does not propose attorney staff augmentation. Therefore, the LADA is not subject to the Board Motion of December 15, 1998, requiring clearance with the Alternate Public Defender, Probation, Public Defender, and Sheriff's Departments.

CONCLUSION

It is requested that the Executive Officer-Clerk of the Board return an adopted copy of this Board letter and the Federal Equitable Sharing Agreement and Annual Certification Report, with original signatures, to Lianna Narinyants, Accounting Section, Los Angeles County District Attorney's Office, 211 West Temple Street, Suite 200, Los Angeles, California 90012. Any questions may be directed to Ms. Narinyants at 213-257-2817 or via email at lnarinyants@da.lacounty.gov.

The Honorable Board of Supervisors
8/18/2015
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Respectfully submitted,

A handwritten signature in black ink, reading "Jackie Lacey". The signature is fluid and cursive, with the first name "Jackie" and last name "Lacey" clearly distinguishable.

JACKIE LACEY
District Attorney

rfm

Enclosures

c: Chief Executive Officer
County Counsel



Equitable Sharing Agreement and Certification



OMB Number 1123-0011
Expires January 31, 2018

- ☐ Police Department ☐ Sheriff's Office ☐ Task Force (Complete Table A)
☒ Prosecutor's Office ☐ National Guard Counterdrug Unit ☐ Other

* Please fill each required field. Hover mouse over any fillable field for pop-up instructions. *

Agency Name: LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE

NCIC/ORI/Tracking Number: C A 0 1 9 1 5 3 A

Mailing Address: 211 WEST TEMPLE STREET, SUITE 200

City: LOS ANGELES

State: CA

Zip: 90012

Finance Contact: First: NORBERT

Last: RUIZ

Phone: 213-257-2832

Email: nruiz@da.lacounty.gov

Preparer:

First: LIANNA

Last: NARINYANTS

☐ Same as
Finance Contact

Phone: 213-257-2817

Email: lnarinyants@da.lacounty.gov

Last FY End Date: 06/30/2015

Agency Current FY Budget:

\$369,092,000.00

- ☐ **New Participant:** Read Equitable Sharing Agreement and sign Affidavit
☒ **Existing Participant:** Complete Annual Certification Report, read Equitable Sharing Agreement, and electronically sign Affidavit
☐ **Amended Form:** Revise Annual Certification Report, read Equitable Sharing Agreement, and electronically sign Affidavit

Annual Certification Report

Summary of Equitable Sharing Activity		Justice Funds ¹	Treasury Funds ²
1	Beginning Equitable Sharing Funds Balance (Must match Ending Balance from prior FY)		
2	Equitable Sharing Funds Received	\$669,139.98	\$123,642.04
3	Equitable Sharing Funds Received from Other Law Enforcement Agencies and Task Forces (Complete Table B)	\$56,882.95	\$2,568.75
4	Other Income		
5	Interest Income <input type="radio"/> Non-Interest Bearing <input checked="" type="radio"/> Interest Bearing	\$805.95	\$140.11
6	Total Equitable Sharing Funds (total of lines 1 - 5)	\$726,828.88	\$126,350.90
7	Equitable Sharing Funds Spent (total of lines a - n below)	\$726,828.88	\$126,350.90
8	Ending Equitable Sharing Funds Balance (difference between line 7 and line 6)	\$0.00	\$0.00

¹ Department of Justice Asset Forfeiture Program participants are: FBI, DEA, ATF, USPI, USDA, DCIS, DSS, and FDA.

² Department of the Treasury Asset Forfeiture Program participants are: IRS, ICE, CBP, AND USSS.

Summary of Shared Funds Spent		Justice Funds	Treasury Funds
a	Law enforcement operations and investigations		
b	Training and education	\$37,295.23	\$126,350.90
c	Law enforcement, public safety, and detention facilities		
d	Law enforcement equipment	\$409,260.77	
e	Joint law enforcement/public safety operations		
f	Contracting for services		
g	Law enforcement travel and per diem	\$280,272.88	
h	Law enforcement awards and memorials		
i	Drug, gang, and other education or awareness programs		
j	Matching grants (Complete Table C)		
k	Transfers to other participating law enforcement agencies (Complete Table D)		
l	Support of community-based programs (Complete Table E)		
m	Non-categorized expenditures (Complete Table F)		
n	Salaries (Complete Table G)		
Total:		\$726,828.88	\$126,350.90

Please fill out the following tables, if applicable.

Table A: Members of Task Force

Agency Name	NCIC/ORI/Tracking Number

Table B: Equitable Sharing Funds Received from other Agencies

Transferring Agency Name, City, and State	Justice Funds	Treasury Funds
Agency Name: LA IMPACT	\$42,453.57	\$2,568.75
NCIC/ORI/Tracking Number: C A 0 1 9 2 K O X		
Agency Name: SAN BERNARDINO SHERIFF	\$14,429.38	
NCIC/ORI/Tracking Number: C A 0 3 6 0 0 0 0		

Table C: Matching Grants

Matching Grant Name	Justice Funds	Treasury Funds
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Matching Grant Name**Justice Funds****Treasury Funds**

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Table D: Transfers to Other Participating Law Enforcement Agencies**Receiving Agency Name, City, and State****Justice Funds****Treasury Funds**

Agency Name: <input type="text"/>		
NCIC/ORI/Tracking Number: <input type="text"/>		

Table E: Support of Community-based Programs**Recipient****Justice Funds****Treasury Funds**

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Table F: Expenditures not Categorized in (a) - (n) Above**Description****Justice Funds****Treasury Funds**

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Table G: Salaries**Salary Type****Justice Funds****Treasury Funds**

- ☐ Overtime ☐ Match for Federal Salary Grant
☐ DARE/SRO Officer ☐ Federal Task Force Replacement Officer

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Table H: Civil Rights Cases**Name of Case****Type of Discrimination Alleged**

Beth Silverman and Tanaaz Mokayef vs. County of LA, et.al	<input type="checkbox"/> Race	<input type="checkbox"/> Color	<input type="checkbox"/> National Origin	<input checked="" type="checkbox"/> Gender
	<input type="checkbox"/> Disability	<input type="checkbox"/> Age	<input type="checkbox"/> Other _____	

Paperwork Reduction Act Notice

Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a valid OMB control number. We try to create accurate and easily understood forms that impose the least possible burden on you to complete. The estimated average time to complete this form is 30 minutes. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, please write to the Asset Forfeiture and Money Laundering Section:
1400 New York Avenue, N.W., Washington, DC 20005.

Equitable Sharing Agreement

This Federal Equitable Sharing Agreement, entered into among (1) the Federal Government, (2) the above-stated law enforcement agency ("Agency"), and (3) the governing body, sets forth the requirements for participation in the federal Equitable Sharing Program and the restrictions upon the use of federally forfeited cash, property, proceeds, and any interest earned thereon, which are equitably shared with participating law enforcement agencies. By submission of this form, the Agency agrees that it will be bound by the statutes and guidelines that regulate shared assets and the following requirements for participation in the Department of Justice and Department of the Treasury Equitable Sharing Programs. Receipt of the signed Equitable Sharing Agreement and Certification (this "Document") is a prerequisite to receiving any equitably shared cash, property, or proceeds.

1. Submission. This Document must be submitted to aca.submit@usdoj.gov within 60 days of the end of the Agency's fiscal year. This Document must be submitted and signed electronically. This will constitute submission to the Department of Justice and the Department of the Treasury.

2. Signatories. This agreement must be electronically signed by the head of the Agency and the head of the governing body. Examples of Agency heads include police chief, sheriff, director, commissioner, superintendent, administrator, chairperson, secretary, city attorney, county attorney, district attorney, prosecuting attorney, state attorney, commonwealth attorney, and attorney general. The governing body's head is the head of the agency that appropriates funding to the Agency. Examples of governing body heads include city manager, mayor, city council chairperson, county executive, county council chairperson, director, secretary, administrator, commissioner, and governor. The governing body head cannot be from the law enforcement agency and must be from a separate entity.

3. Uses. Any shared asset shall be used for law enforcement purposes in accordance with the statutes and guidelines that govern the Department of Justice and the Department of the Treasury Equitable Sharing Programs as set forth in the current edition of the *Guide to Equitable Sharing for State and Local Law Enforcement Agencies (Guide)*.

4. Transfers. Before the Agency transfers funds to other state or local law enforcement agencies, it must first verify with the Department of Justice that the receiving agency is a current and compliant Equitable Sharing Program participant. Transfers of tangible property are not permitted.

5. Internal Controls. The Agency agrees to account separately for federal equitable sharing funds received from the Department of Justice and the Department of the Treasury. Funds from state and local forfeitures, joint law enforcement operations funds, and other sources must not be commingled with federal equitable sharing funds.

The Agency agrees that such accounting will be subject to the standard accounting requirements and practices employed by the Agency's jurisdiction as supplemented by requirements set forth in the current edition of the *Guide*, including the requirement to maintain relevant documents and records for five years.

The misuse or misapplication of shared resources or supplantation of existing resources with shared assets is prohibited. The Agency must follow its jurisdiction's procurement policies when expending shared funds. Failure to comply with any provision of this agreement shall subject the recipient agency to the sanctions stipulated in the current edition of the *Guide*.

6. Audit Report. Audits will be conducted as provided by the Single Audit Act Amendments of 1996 and OMB Circular A-133. The Department of Justice and the Department of the Treasury reserve the right to conduct periodic random audits or reviews.

7. Freedom of Information Act. Information provided in this Document is subject to the FOIA requirements of the Department of Justice and the Department of the Treasury.

Affidavit

Under penalty of perjury, the undersigned officials certify that **they have read and understand their obligations under the Equitable Sharing Agreement** and that the information submitted in conjunction with this Document is an accurate accounting of funds received and spent by the Agency under the *Guide* during the reporting period and that the recipient Agency is compliant with the National Code of Professional Conduct for Asset Forfeiture.

The undersigned certify that the recipient Agency is compliant with the applicable nondiscrimination requirements of the following laws and their implementing regulations: Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*), Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 *et seq.*), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794), and the Age Discrimination Act of 1975 (42 U.S.C. § 6101 *et seq.*), which prohibit discrimination on the basis of race, color, national origin, disability, or age in any federally assisted program or activity, or on the basis of sex in any federally assisted education program or activity. The Agency agrees that it will comply with all federal statutes and regulations permitting federal investigators access to records and any other sources of information as may be necessary to determine compliance with civil rights and other applicable statutes and regulations.

During the past fiscal year: (1) has any court or administrative agency issued any finding, judgment, or determination that the Agency discriminated against any person or group in violation of any of the federal civil rights statutes listed above; or (2) has the Agency entered into any settlement agreement with respect to any complaint filed with a court or administrative agency alleging that the Agency discriminated against any person or group in violation of any of the federal civil rights statutes listed above? ☐ Yes ☐ No

If you answered yes to the above question, complete Table H

Agency Head Electronic Signature

Name: JACKIE LACEY

Title: DISTRICT ATTORNEY

Email: jlacey@da.lacounty.gov

To the best of my knowledge and belief, the information provided on this form is true and accurate and has been reviewed and authorized by the Law Enforcement Agency Head whose name appears above. Entry of the Agency Head name above indicates his/her acceptance of and agreement to abide by the policies and procedures set forth in the *Guide to Equitable Sharing for State and Local Law Enforcement Agencies*, including ensuring permissibility of expenditures and following all required procurement policies and procedures. Entry of the Agency Head name above also indicates his/her acceptance of and agreement to abide by requirements set forth in this Equitable Sharing Agreement, and any policies or procedures issued by the Department of Justice or the Department of the Treasury related to the Asset Forfeiture or Equitable Sharing Programs. The Law Enforcement Head also certifies that no items on the Prohibited List, as detailed in "Recommendations Pursuant to Executive Order 13688", were purchased with equitable sharing funds after May 18, 2015.

Governing Body Head Electronic Signature

Name: MICHAEL D. ANTONOVICH

Title: MAYOR

Email: mantonovich@lacobos.org

To the best of my knowledge and belief, the agency's current fiscal year budget reported on this form is true and accurate and the Governing Body Head whose name appears above certifies that the agency's budget has not been supplanted as a result of receiving equitable sharing funds. Entry of the Governing Body Head name above indicates his/her acceptance of and agreement to abide by the policies and procedures set forth in the *Guide to Equitable Sharing for State and Local Law Enforcement Agencies*, this Equitable Sharing Agreement, and any policies or procedures issued by the Department of Justice or the Department of the Treasury related to the Asset Forfeiture or Equitable Sharing Programs.

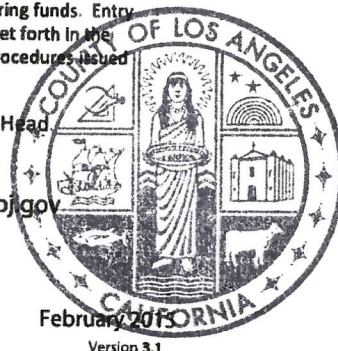
☒ I certify that I am authorized to submit this form on behalf of the Agency Head and the Governing Body Head

Final Instructions:

Step 1: Click to save for your records

Step 2: Click to save in XML format

Step 3: Email the XML file to aca.submit@usdoj.gov



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BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

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AUG 18 2015

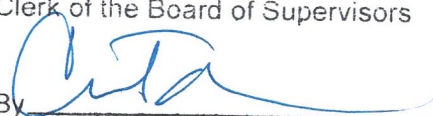

PATRICK OGAWA
ACTING EXECUTIVE OFFICER



hereby certify that pursuant to
Section 25103 of the Government Code
delivery of this document has been made

PATRICK OGAWA
Acting Executive Officer
Clerk of the Board of Supervisors

By



Deputy